

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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: Chapter 11
In re :
: Case No. 19-10747 (SHL)
JEFFREY LEW LIDDLE, :
: (Jointly Administered with. 19-12346)
Debtor :
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**ORDER GRANTING MOTION BY DEBTORS JEFFREY LEW LIDDLE AND LIDDLE
& ROBINSON, L.L.P., PURSUANT TO BANKRUPTCY RULE 2004 AND § 105(a) OF
THE BANKRUPTCY CODE, FOR AN ORDER DIRECTING (I) EXAMINATION OF
COUNSEL FINANCIAL HOLDINGS LLC, AND (II) PRODUCTION OF DOCUMENTS
BY COUNSEL FINANCIAL HOLDINGS LLC, ALONG WITH RELATED RELIEF**

Upon the motion (the “Motion”)¹ of Jeffrey Lew Liddle and Liddle & Robinson, L.L.P., as debtors and debtors-in-possession (collectively, the “Debtors”), for an Order directing (I) examination of Counsel Financial Holdings LLC, and (II) production of documents by Counsel Financial Holdings LLC, along with related relief; Counsel Financial Holdings LLC having filed an objection to the Motion; it appearing that the relief requested is in the best interest of the Debtors’ estates, their creditors and other parties in interest; it appearing that notice of this Motion and the opportunity for a hearing on this Motion was appropriate under the particular circumstances and that no other or further notice need be given; and after due deliberation and sufficient cause appearing therefor, it is hereby ORDERED:

1. The Motion is granted as set forth herein.
2. Counsel Financial Holdings LLC shall be examined, under oath, by Debtors, pursuant to Bankruptcy Rule 2004, upon at least thirty (30) days prior written notice by Debtors to Counsel Financial Holdings LLC, which shall be held at the office of Debtors’ attorneys. Any

¹ Capitalized terms used but not otherwise defined herein shall have the meanings set forth in the Motion.

creditor or creditors committee, if one is formed, shall be entitled to attend, but not participate in, such examination, without the written consent of both Debtors and Counsel Financial Holdings LLC or further order of this Court.

3. Counsel Financial Holdings LLC shall produce the documents listed on Exhibit "A" to this Order, by delivering such documents to Debtors' attorneys, on or before January 6, 2020.

4. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

5. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

6. The Court retains jurisdiction with respect to all matters arising from or relating to the implementation of this Order.

Dated: November 25, 2019
New York, New York

/s/ Sean H. Lane

HONORABLE SEAN H. LANE
UNITED STATES BANKRUPTCY JUDGE

Exhibit A
Document Request For Rule 2004 Examination Of Counsel Financial Holdings LLC By
Debtors

DOCUMENT REQUEST FOR RULE 2004 EXAMINATION OF COUNSEL FINANCIAL HOLDINGS LLC BY DEBTORS

1. Any and all loan statements, invoices, notices and correspondence allegedly sent by Counsel Financial Holdings LLC including when operating under any other trade name such as Counsel Financial, (“CF Holdings”) to the Debtors.
2. CF Holdings’ loan file for the Debtors.
3. All documents and communications concerning the Debtors’ cases, including without limitation documents and communications concerning any case list provided by the Debtors to LIG or any of its affiliates, including any such communications with YieldStreet Inc., Craig Bolton, John Pierce, Pierce Bainbridge Beck Price & Hecht LLP (“Pierce Bainbridge”), any loan broker representing Pierce Bainbridge, Glen Phillips, Milberg LLP, or anyone affiliated with Milberg LLP.
4. All agreements concerning any of the Debtors’ cases that CF Holdings contends were collateral for its loan, including all agreements concerning an assignment or pledge of any of CF Holdings’ purported rights in the cases.
5. All agreements entered into by CF Holdings concerning the handling of any of the Debtors’ cases by anyone other than a current partner of Liddle & Robinson.
6. All communications with Blaine Bortnick or any of his representatives regarding (i) the use of client fees of current or former L&R clients to pay off the balance of the Counsel Financial loans; (ii) efforts to divert, transfer or otherwise move cases from L&R; or (iii) the resolution of the cases of current or former L&R clients on or after June 2, 2017.
7. All documents concerning the present calculation of any loan balance allegedly owed to CF Holdings by the Debtors, including a breakdown of principal and interest, and a record of any payments by the Debtors and how such payments were credited by Counsel Financial Holdings or any of its affiliated entities.